

# COUNTY OF YORK

## MEMORANDUM

**DATE:** December 17, 2003 (BOS Mtg. 1/20/04)

**TO:** York County Board of Supervisors

**FROM:** James O. McReynolds, County Administrator

**SUBJECT:** Application No. UP-627-03, Kenneth Dale Moore

### ISSUE

This application requests a Special Use Permit, pursuant to Section 24.1-306 (category 14, number 6) of the York County Zoning Ordinance, to authorize the establishment of a mini-storage warehouse facility on a 1.74-acre parcel located at 5922 George Washington Memorial Highway approximately 300 feet north of the intersection of George Washington Memorial Highway (Route 17) and Wolfrap Road (Route 630) and further identified as Assessor's Parcel No. 29-4-4B. The proposed development would be an expansion of the existing Stor-Moore located at 6000 George Washington Memorial Highway.

### DESCRIPTION

- Property Owner: Kenneth Dale Moore
- Location: 5922 George Washington Memorial Highway (Route 17)
- Area: 1.74 acres
- Frontage: Approximately 345 feet on George Washington Memorial Highway
- Utilities: Public water and sewer
- Topography: Flat
- 2015 Land Use Map Designation: General Business
- Zoning Classification: GB – General Business
- Existing Development: None
- Surrounding Development:

North: Stor-Moore mini-storage warehouse facility; Yorkminster Presbyterian Church beyond

East: Stor-Moore mini-storage warehouse facility; Willow Lakes planned development beyond

South: Wolfrap Crossing shopping center, dry cleaning establishment and auto parts store beyond

West: Route 17; funeral home and law office beyond

- Proposed Development: Mini-storage warehouses

## **BACKGROUND**

The existing Stor Moore mini-storage warehouse facility on Route 17 was approved by the Board of Supervisors in 1996. The applicant's intent – as expressed at the time to the staff, Planning Commission, and Board – was to market the adjoining parcel in front of the warehouse facility, which has 345 feet of frontage on Route 17, for some type of commercial development, such as a restaurant, that would serve to shield direct views of most of the warehouses from Route 17. In 2000 the owner of that facility applied for a Special Use Permit to expand onto the adjacent parcel that had originally been slated for some other type of commercial development. Staff and the Planning Commission recommended denial of the application, which was subsequently denied by the Board. Section 24.1-115(b)(7) of the Zoning Ordinance states that “(w)hen the board has acted on an application for a special use permit and has denied it, no other application for substantially the same request shall be considered until one (1) year has elapsed from the date of the board's action.” More than a year has passed since that application was denied, and the applicant has submitted this application, which is basically the same.

## **CONSIDERATIONS/CONCLUSIONS**

1. The applicant proposes to construct two mini-storage warehouse buildings encompassing 24,525 square feet of floor space. The development would be an expansion of the existing Stor Moore mini-storage warehouse facility, which surrounds the subject parcel on two sides. Unlike the existing warehouses, which, like most mini-storage warehouses, are long and narrow, these buildings would be squarer in shape and would more closely resemble standard commercial buildings.
2. The subject parcel is located on Route 17 and is designated for General Business uses in the Comprehensive Plan. In discussing this area of the County, the Land Use element of the plan also states that “[u]nlike the sections of Route 17 developed prior to existing regulations, any new commercial development in this area should have greater green space and landscaped areas with an emphasis on tree preservation.”<sup>1</sup> In addition, Goal 7 of the Land Use element is to “Enhance the visual appeal of the County's major corridors, particularly the Route 17 corridor.” As a means of achieving this goal, Strategy 7.1 identifies specific tools, including the following, that should be used to protect the Route 17 corridor:
  - Preserving and protecting existing mature trees,
  - Establishing new landscaped areas within existing and new development; and
  - Maximizing building setbacks so as to provide opportunities for incorporation of green areas in highly visible areas and the retention of appropriate amounts of green space in the event of right-of-way expansion.

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<sup>1</sup> Charting the Course to 2015: The County of York Comprehensive Plan, Land Use, p. 85.

3. Staff has consistently had strong concerns about the views of the proposed development from Route 17. In 1996 when the Board approved a use permit for the existing Stor Moore facility, it was with the understanding that future commercial development of the property in front of the warehouses (i.e., the subject parcel) would serve as a visual screen of the storage units to the rear of the property (see attached letter dated July 25, 1996). Indeed, this was a major contributing factor in the staff's recommendation of approval for that application. In his memorandum to the Board dated September 5, 1996, the County Administrator noted that "[t]he mini-storage warehouse units are proposed to occupy about 60% of the site and are generally to be located on the rear of the site with a pipe stem extending to Route 17 to provide access. The remaining 2.1 acres extend across the bulk of the Route 17 frontage and the applicant plans to market this site to a retail or restaurant business. Once developed, that business will provide a substantial visual buffer between the storage units and Route 17, at least for vehicles approaching the site from the south." The memo goes on to state that "[s]taff has long suggested that deeper commercially-zoned parcels could improve the development pattern along commercial corridors; this is an example of how that can work. By placing the bulk of the mini-storage units at the rear of the site behind what eventually will be some retail or restaurant use, the applicant has found a way to simultaneously have Route 17 exposure, but screen the buildings as well." Currently the warehouses are well buffered from Route 17 by existing trees, most or all of which will be removed when the subject parcel is developed.

As he did when this application was first considered in 2000, the applicant has indicated that he plans to install a four-foot landscaped berm, supplemented by tree plantings, along the front of the property in an effort to provide a visual buffer between the proposed warehouses and Route 17. However, the proposed landscaping (twelve crape myrtles in the front landscape yard plus four pine trees in the area behind it) falls short of the minimum Zoning Ordinance requirement for front yard tree plantings (approximately 18 trees) and, in my opinion, is not sufficient to shield two warehouse buildings measuring 160 and 95 feet in length respectively. Furthermore, I have doubts about the long-term viability of the proposed berm, which would be located immediately adjacent to the future right-of-way of Route 17. The future widening of Route 17 might not allow the berm to remain in that location. If this application is approved, I recommend that the berm be located further back from Route 17 than is indicated on the concept plan to ensure that it will not be displaced by the Route 17 widening.

4. As part of the proposed expansion, the applicant has stated that he will make "exterior siding modifications to the existing two-story office building, replacing the siding with an unspecified "material that will soften the structure's appearance." No specific information has been provided as to what this material might be, nor is it identified on the artist's rendering of the proposed expansion. I recommend that a brick, stucco, or similar decorative building material be required. This siding change, together with the new mansard roof treatment, would have a positive effect on the overall aesthetic quality of the site. The concept plan also depicts a "decorative fence/wall" that, if constructed of brick or block, will help to screen the parking lot.

5. One of the conditions of approval for the existing Stor Moore facility is that both the office/resident manager's living quarters and the side nearest Route 17 of the storage building along the northern property line have brick façades. I recommend that a similar condition be applied to the proposed expansion because of the visibility of the proposed storage buildings from Route 17. For the same reason, I also recommend that all warehouse doors face the inside of the development. Both conditions are consistent with previous staff recommendations for mini-storage warehouse facilities. The applicant plans to combine the subject parcel with the surrounding Stor Moore parcel if the application is approved, so freestanding signage will be limited to the existing Stor Moore sign on Route 17.
6. The proposed warehouses would be served by the existing Stor Moore entrance on Route 17; an additional entrance would not be permitted, and none has been proposed. This is one of the conditions of the 1996 use permit, and it applies to **any** future development on this parcel. Another condition of the 1996 use permit is the requirement that a twelve-foot strip of land along the front of the property be reserved for future widening of Route 17, and this has been shown on the applicant's concept plan.
7. One advantage of mini-storage warehouses over other types of commercial development is that they do not generate significant amounts of traffic. The Institute of Transportation Engineers Trip Generation manual (6<sup>th</sup> Edition) contains a wide range of trip generation estimates based on different variables (i.e., acres, number of units, number of employees, and gross floor area). Even the lowest of these estimates – 61 average daily trip ends – probably overstates the amount of traffic that would be generated. Under all estimates, A.M. and P.M. peak-hour trip generation would be fewer than ten trips. Although most of these would likely be **destination** trips (that is, vehicles that would not otherwise be on Route 17) rather than **pass-by** trips (intermediate stops on an employee's normal route between work and home), the traffic impacts of the proposed development are still negligible compared to most other retail uses that would be permitted as a matter of right.
8. The fiscal impact of mini-storage warehouses, though positive, is relatively low in comparison with that of other commercial uses permitted as a matter of right in the GB district, and the employment impacts are negligible. As the supply of vacant land along the County's prime commercial corridor decreases, the importance of putting such properties to a good economic use increases.

### **PLANNING COMMISSION RECOMMENDATION**

The Planning Commission considered this application at its November 12 meeting and, subsequent to conducting a public hearing at which only the applicant and his agent spoke, voted 5:1 (Mr. Harvell absent) to recommend denial. Two of the Commissioners expressed some willingness to table the application to give the applicant an opportunity to provide building elevations that better depict the type of facility he intends to build. However, the applicant's agent requested that the Commission vote on the application rather than table it. (For additional details please see the attached Planning Commission minutes).

### **COUNTY ADMINISTRATOR RECOMMENDATION**

Seven years have passed since the Stor Moore facility was approved, and three years have passed since this application was first considered and denied. Nothing has taken place in that time to alter the staff's belief, articulated first in 1996 and reiterated in 2000, that the applicant's original plan to buffer views of the warehouses with some type of retail space was a good one. In fact, it is questionable whether a proposal to use the entire parcel for mini-storage warehouses, including over 300 feet of frontage along Route 17, would have been received favorably by the staff, the Planning Commission, or the Board. In support of this application, the applicant cites his failure to successfully market the property for some other use; he attributes this failure to several factors, at least three of which existed in 1996 when Stor Moore was first approved. These factors include the shallow depth of the parcel (a condition made worse by the applicant in 1997 when he resubdivided the parcel, reducing the depth by approximately 12 feet), the comparatively low traffic volume on Route 17 (another condition that presumably existed in 1996), and the absence of a median break in this location. I do not believe these factors are insurmountable obstacles to development. There are numerous successful developments on similar parcels along Route 17 and other major corridors in the County. (One recent example is the newly constructed Salty Paws Vet Clinic, approved through a Special Use Permit, which is approximately the same size with the same amount of depth along a major arterial highway – Route 134 – with lower traffic volumes and not at an intersection or median break. Another vet clinic, Seaford Veterinary Clinic, was built one year before Stor Moore in 1996 on a parcel much smaller and shallower than the subject parcel and located less than a mile to the north on Route 17. This parcel also is not located at an intersection or a median break.)

The applicant further asserts that “a significant imbalance between the over-supply of available commercial property on Route 17 and the demand from new users” and the relative attractiveness of the area surrounding the intersection of Routes 17 and 171 for retail and restaurant development has hampered efforts to attract development to the subject parcel. It should be remembered, however, that short-term market conditions should not dictate long-term planning decisions. I do not believe that the construction of warehouses in this highly visible location along the County's principal commercial corridor, even with a landscaped berm and brick façades, is consistent with the Comprehensive Plan's vision for Route 17 or with the economic development goals spelled out in the plan. Therefore, based on the considerations and conclusions as noted, I recommend that the Board deny this application through the denial of proposed Resolution No. R04-3. This resolution includes recommended conditions should the Board choose to approve this application.

Carter/3337:TCC

#### Attachments

- Excerpts of Planning Commission Minutes, November 12, 2003
- Zoning Map
- Applicant's Project Narrative
- Concept Plan
- Revised Concept Plan – Proposed Staff Modification
- Artist's renderings of the proposed development (submitted by applicant)

- Letter from K. Dale Moore to George Homewood, Chief Planner, dated July 25, 1996
- Excerpts of Planning Commission Minutes, November 8, 2000
- Excerpts of Board of Supervisors Minutes, December 19, 2000
- Proposed Resolution No. R04-3